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|  |                              |  |  |                                  |                         |   |  |  |                              |
|--|------------------------------|--|--|----------------------------------|-------------------------|---|--|--|------------------------------|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>   |                              | Attorney Docket Number<br><br>067629-5011-US   |  |                                  |                         |   |  |  |                              |
| <b><u>CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. 1.8</u></b><br><br>I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol in accordance with 1.6(a)(4) to the United States Patent and Trademark Office on:<br><br>Dated: <u>July 27, 2009</u><br>Signed: <u>[Signature]</u><br>Jere Valles |                              | In re Application of<br>Richard CAWTHON<br><br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number<br/>10/543,111</td> <td style="width: 50%; padding: 2px;">Filed<br/>March 10, 2006</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For      Methods Of Predicting Mortality Risk<br/>                    By Determining Telomere Length</td> </tr> <tr> <td style="padding: 2px;">Art Unit/Confirmation No.<br/><br/>1637/2614</td> <td style="padding: 2px;">Examiner<br/><br/>Young J. KIM</td> </tr> </table> |  | Application Number<br>10/543,111 | Filed<br>March 10, 2006 | For      Methods Of Predicting Mortality Risk<br>By Determining Telomere Length |  | Art Unit/Confirmation No.<br><br>1637/2614 | Examiner<br><br>Young J. KIM |
| Application Number<br>10/543,111   | Filed<br>March 10, 2006      |  |  |                                  |                         |   |  |  |                              |
| For      Methods Of Predicting Mortality Risk<br>By Determining Telomere Length  |                              |  |  |                                  |                         |   |  |  |                              |
| Art Unit/Confirmation No.<br><br>1637/2614   | Examiner<br><br>Young J. KIM |  |  |                                  |                         |   |  |  |                              |

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner:

**Claims 1-13**

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) **\$ 270.00**

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 50-0310 (Attorney Docket No. 067629-5011-US).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ Applicant/inventor 
[Signature]  
 Signature  
 Customer No. 67374

☐ Assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96) 
David C. Foster for Richard F. Trecartin  
 Typed or printed name

☒ Attorney or agent of record.

Registration number 44,685/31,801 
(415) 442-1000  
 Telephone number

☐ Attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34.                      
July 27, 2009  
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of **One** form is submitted.